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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10 SAN FRANCISCO DIVISION
11

12 UNITED STATES OF AMERICA,)	No. CR-14-0223 RS
)	
13 Plaintiff,)	STIPULATION AND [PROPOSED]
)	ORDER TO CONTINUE
14 v.)	
)	
15 LEONEL CAPI-CUEVAS,)	
)	
16 Defendant.)	
_____)	

1 The parties jointly request that, subject to the Court's approval, the change of plea hearing
2 and sentencing presently set for September 30, 2014 be continued to October 21, 2014 at 2:30
3 pm.

4 At the last appearance, the Court referred the case for preparation of a pre-plea modified
5 presentence report. That report was first disclosed to the parties on September 23, 2014. Mr.
6 Capi-Cuevas requests this continuance to provide adequate time to review the report. The
7 government has no objection to this.

8 For the above reasons, the parties stipulate there is good cause – taking into account the
9 public interest in the prompt disposition of this case – to exclude the time from September 30,
10 2014 to October 21, 2014 from computation under the Speedy Trial Act, and that failing to
11 exclude that time would unreasonably deny the defendant and his counsel the reasonable time
12 necessary for continuity of counsel, taking into account the exercise of due diligence. 18 U.S.C.
13 § 3161(h)(7)(A) and (B)(iv). The parties further agree that the ends of justice would be served by
14 excluding the time from September 30, 2014 to October 21, 2014 from computation under the
15 Speedy Trial Act and that the need for the exclusion outweighs the best interests of the public
16 and the defendant in a speedy trial.

17 IT IS SO STIPULATED.

18
19 9/25/2014
20 DATED

/s/

LAURA VARTAIN HORN
Assistant United States Attorney

21
22 9/25/2014
DATED

/s/

JODI LINKER
Assistant Federal Public Defender

23
24 IT IS SO ORDERED.

25 9/25/14
26 DATED



RICHARD SEEBORG
United States District Judge